

03-19-01

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PTO/SB/05 (12/97)

Approved for use through 9/30/00 OMB 0651-0032

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03/16/01

U.S. PRO

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | | | |
|--|---------------|-------------|----|
| Attorney Docket No | 2807.2.22.3 | Total Pages | 54 |
| First Named Inventor or Application Identifier | | | |
| Michael H. Myers | | | |
| Express Mail Label No | EL751290751US | | |

11036 U.S. PRO
09/01/99

03/16/01

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)2. ☒ Applicant claims small entity status. See 37 CFR 1.273. ☒ Specification Total Pages **34**
(preferred arrangement set forth below)

- Descriptive title of the Invention
- Cross References to Related Application
- Statement Regarding Fed sponsored R & D
- Reference to Microfiche Appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 USC 113) [Total Sheets **14**]5. Oath or Declaration [Total Pages **3**]a. ☒ Newly executed (original or copy)b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)

[Note Box 5 below]

1. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in prior application, see 37 CFR 1.63(d)(2)
and 1.33(b).6. ☐ Incorporation by Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy
of the oath or declaration is supplied under Box 4b is considered
as being part of the disclosure of the accompanying application
and is hereby incorporated by reference therein.**Assistant Commissioner for Patents**ADDRESS TO: **Box Patent Application
Washington, DC 20231**7. ☐ Microfiche Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if
applicable, all necessary)

- a. ☐ Computer Readable Copy
- b. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- 9. ☐ Assignment Papers (cover sheet & document(s))
- 10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
- 11. ☐ English Translation Document (if applicable)
- 12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS
Citations
- 13. ☐ Preliminary Amendment
- 14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- 15. ☐ Small Entity ☐ Statement filed in prior application,
Statement(s) Status still proper and desired
- 16. ☐ Certified Copy of Priority Document(s)
if foreign priority is claimed
- 17. ☒ Other: Express Mail Certificate

18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information:
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:
18. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label**28049**or ☐ Correspondence address below

| | | | | | |
|---------|---------------------|--|-----------|----------------|--------------------|
| NAME | Hal D. Baird | | | | |
| | PATE PIERCE & BAIRD | | | | |
| ADDRESS | | | | | |
| CITY | | | STATE | | |
| COUNTRY | US | | TELEPHONE | (801) 530-5090 | FAX (801) 530-5955 |

Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

03/16/01

Please type a plus sign (+) inside this box ☐

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FEE TRANSMITTAL

Note: Effective October 1, 1997.
Patent fees are subject to annual revision.

Complete If Known

| | |
|------------------------|------------------|
| Application Number | |
| Filing Date | March 16, 2001 |
| First Named Inventor | Michael H. Myers |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | 2807.2.22.3 |

| | |
|-------------------------|----------|
| TOTAL AMOUNT OF PAYMENT | \$355.00 |
|-------------------------|----------|

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number
- Deposit Account Name
- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance

2. ☒ Payment Enclosed:
- ☒ Check ☐ Money Order ☐ Other

FEE CALCULATION**4. FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 101 | 710 | 201 | 355 | Utility filing fee | 355 |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1)

355

2. CLAIMS

| Total Claims | Extra | Fee from below | Fee Paid |
|----------------------|---------|----------------|----------|
| 18 | -20 = 0 | 9 | 0 |
| 1 | -3 = 0 | | 0 |
| Multiple Dep. Claims | 0 | | 0 |

| Large Entity | | Small Entity | | Fee Description |
|--------------|----------|--------------|----------|---|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | |
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim |
| 109 | 80 | 209 | 40 | Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2)**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2520 | 147 | 2520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1840* | 113 | 1840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1510 | 138 | 1510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - intentional | |
| 141 | 1240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1240 | 242 | 620 | Utility issue fee | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 240 | 126 | 240 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR 1.129(b)) | |

Other fee (specify) _____

Other fee (specify) _____

*Reduced by Basic Filing Fee

SUBTOTAL (3)**SUBMITTED BY****Complete (if applicable)**

| | | | |
|-----------------------|---------------------|-------------------------|--------|
| Typed or Printed Name | Hal D. Baird | Reg. Number | 42,284 |
| Signature | <i>Hal D. Baird</i> | Deposit Account User ID | |
| Date | Mar 16, 2001 | | |

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EL751290751US

Date of Deposit: March 16, 2001

I hereby certify that this patent application in the name of Michael H. Myers for "MODULATION SYNTHESIS APPARATUS FOR PHOTONIC WAVELENGTH SHIFTING," together with fourteen (14) sheets of drawings; Declaration, Power of Attorney and Petition; transmittal letter; fee transmittal letter; and Check No. 1867 for \$355.00, are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Respectfully submitted,



Hal D. Baird
Reg. No. 42,284
Attorney for Applicant

Date: March 16, 2001

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